FIVE-YEAR INDEX

Volumes 30-34

LEADING ARTICLES

Adopted and Nonmarital Chil	dren-
Exploring the 1990 Uni	form
Probate Code's Intestac	y and
Class Gift Provisions.	
Patricia E. Roberts	32:539

Allocation of Damages for Tort
Liability in Common Interest
Communities.

Jerry C.M. Orten and
John H. Zacharia 31:647

Anglo-American Land Law:
Diverging Developments
from a Shared History—Part I:
The Shared History.
David A. Thomas 34:143

Anglo-American Land Law:
Diverging Developments
from a Shared History—Part II:
How Anglo-American Land
Law Diverged After American
Colonization and Independence.
David A. Thomas 34:295

Anglo-American Land Law:
Diverging Developments
from a Shared History—Part III:
British and American Real
Property Law and Practice—
A Contemporary Comparison.
David A. Thomas 34:443

Apportionment of the Federal Estate
Tax—Effect of Selective Federal
Apportionment and Need for Reform.

Donna Litman 33:327

Book Review: Don Llewellyn and Gail Levin Richmond with Beverly R. Budin
Tax Planning for Lifetime and
Testamentary Dispositions—
Prototype Plans.
Reviewed by
Barbara B. Lewis 33:607

Capital Markets Mortgage. 31:523

A Capital Markets Mortgage:
A Ratable Model for Main
Street and Wall Street.

Joseph Philip Forté 31:489

Clogging Revisited.

John C. Murray 33:279

Death and Debtors: What Every
Probate Lawyer Should
Know About Bankruptcy.
Gregory M. McCoskey 34:669

Death Duties and Immortality:
Why Civilization Needs
Inheritance.
Barbara R. Hauser 34:363

Defeating the Duty to Disappoint
Equally—The Total Return
Trust.
Robert B. Wolf 32:45

Defects, Due Process, and Protective
Proceedings: Are Our Probate
Codes Unconstitutional?
Susan G. Haines and
John J. Campbell 33:215

Discrimination Actions Against Landlords: Are They Insurable? Jean A. Mortland 31:55 Duty to Mitigate Damages Upon a Tenant's Abandonment. Stephanie G. Flynn 34:721

Effect of the Bankruptcy Reform Act of 1994 on Real Estate. Baxter Dunaway 30:601

Employee Benefit Plans and Estate Planning. 30:27

Escape From the 15th Century: The Uniform Land Security Interest Act. Norman Geis 30:289

Estate Planning and the Generation-Skipping Tax. Jon J. Gallo 33:457

The Evolution of Sophisticated Tax
Planning for Lifetime Gifts—
What Planning Techniques Continue to Be Effective?

Don W. Llewellyn 30:213

The Fiduciary's Standard of Care in the Enforcement, Contest, or Compromise of Claims in Favor of or Against the Estate.

Dana T. Pickard and
Janet Bohon O'Connor 30:1

Food Service Lease Use and Exclusive Clauses. Emanuel B. Halper 32:539

For Real Estate Lawyers: A
Practical Guide to Identifying
and Managing Potential
Environmental Hazards and
Conditions Affecting Commercial Real Estate.

Janet M. Johnson 32:619

Fractional Interests Make a Better QPRT. Denver S. Gilliand 32:145 Funding Marital Trusts: Mistakes and Their Consequences Jay A. Soled, Dena L. Wolf and Nathan E. Arnell 31:89

Gametes, Embryos and the
Life in Being: The Impact
of Reproductive Technology
on the Rule Against
Perpetuities.
Les A. McCrimmon 34:697

A Gift From Congress Remedies a Statute's Limitations: New IRC § 2001(f). David W. Reinecke 32:379

Holding S Corporation Stock in Trusts— When, Why and How. Beverly R. Budin 33:91

How Buyers and Sellers of Development Land Deal With Regulatory Risk. George Lefcoe 32:301

An Introduction to the Uses of
Mediation and Other Forms
of Dispute Resolution in
Probate, Trust, and
Guardianship Matters.
Mary F. Radford 34:601

Joint Revocable Trusts for Married Couples Domiciled in Common-Law Property States. Melinda S. Merk 32:345

Joint Tenancy Accounts [An Un-Uniform Law].

Dominic J. Campisi 30:399

The Lender's Guide to Single Asset
Real Estate Bankruptcies.

John C. Murray 31:393

- Limited Liability Companies,
 Corporations, General
 Partnerships, Limited
 Partnerships, Joint Ventures,
 Trusts—Who Does the Title
 Insurance Cover?
 Jovce Dickey Palomar 31:605
- Mortgage Drafting: Lessons From the Restatement of Mortgages. Dale A. Whitman 33:415
- The 1998 Mortgage Loan Opinion Report. 33:551
- A Mortgagee's Interest in Casualty
 Loss Proceeds: Evolving Rules
 and Risks.
 Patrick A. Randolph, Jr. 32:1
- Muddling Along With the
 Federal Wealth Transfer
 Tax: A Survey of
 Practitioners and Law
 School Professors.
 Wayne M. Gazur 34:517
- My Child . . . But Not My Heir: Technology, The Law, and Post-Mortem Conception. Robert J. Kerekes 31:213
- New Forms of Private Trusts for the Twenty-First Century— Principal and Income. Joel C. Dobris 31:1
- Note—Intentional Interference with Inheritance. Nita Ledford 30:325
- Off-Balance-Sheet Financing: Synthetic Leases. John C. Murray 32:193
- A Practical Guide to Medicare Hearings and Appeals. Judith Stein and

Five-Year Index: Volumes 30-34 787

- Alfred J. Chiplin, Jr. 34:403
- A Primer on Elderlaw: Review of Alison Barnes, Lawrence A. Frolik, and Robert Whitman, Counseling Older Clients. Reviewed by Michael D. Floyd 33:411
- Privilege and Confidentiality Issues
 When an Attorney Represents a
 Fiduciary.
 Rust E. Reid,
 William R. Mureiko and
 D'Ana H. Mikeska 30:541
- The Proper Role of the Estate and
 Gift Taxation of Closely Held
 Businesses.
 Eric D. Chason and
 Robert T. Danforth 32:571
- Prudent Investor Rule Modern Portfolio
 Theory and Private Trusts: Drafting and Administration Including the "Give-Me-Five" Unitrust.

 Jerold I. Horn 33:1
- The Remedies Opinion Revisited:
 A Primer for Real Estate Lawyers.
 Laurence G. Preble 33:63
- The Ritual Dance Between Lessee and Lender—Subordination, Nondisturbance, and Attornment. Morton P. Fisher, Jr. and Richard H. Goldman 30:355
- Should American Children Be Protected Against Disinheritance? Ronald Chester 32:405
- Significant Probate and Trust
 Decisions.

 John F. Kuether 30:645
 31:129

Significant Probate and Trust		Section 2033A and	
Legislation.		Proposal for Reform.	
Teresa Stanton Collett	30:143	Eric D. Chason and	22.551
		Robert T. Danforth	32:571
Significant Probate and Trust			
Literature.		Transfer Tax Issues Raised by	
Nancy E. Shurtz	30:79	Crummey Powers.	
	30:493	Marc A. Chorney	33:571
Special Delivery: Does the		The Transmogrification of the	
Postman Have to Ring at		American Trust.	
All—The Current State of	of	Jerome J. Curtis, Jr.	31:251
the Delivery Requirement	ıt .		
for Valid Gifts.		Trusting our Partners: An Ess	ay
Chad A. McGowan	31:357	on Resetting the Estate	•
		Planning Defaults for an	
Subleases: A New Approach-		Adult World	
A Proposal.		Henry M. Ordower	31:313
Sidney G. Saltz and			
Martin P. Miner	34:1	The Uniform Statutory Rule A	gainst
		Perpetuities and the GST	Tax:
Suits to Void Discriminatory E		New Perils for Practition	ners
of Disabled Tenants U	nder the	and New Opportunities.	
Fair Housing Amendme	ents Act:	Jesse Dukeminier	30:185
An Emerging Conflict?			
Robert J. Aalberts	33:649	The Use of Life Insurance in E	state
		Planning: A Guide to Pla	anning
Tax Planning With Consensual	Com-	and Drafting.	
unity Property Law.		Jon J. Gallo	33:685
Jonathan G. Blattmachr,			
Howard M. Zaritsky and		The Use of Life Insurance in E	
Mark L. Ascher	33:615	Planning: A Guide to Pl	anning
		and Drafting-Part II.	
To Pay or Not to Pay: Claiming		Jon J. Gallo	34:55
Damages for Recharacteri			
Sale Leaseback Transact		Valuation Principles and Rece	
der Owner's Title Insura	nce Poli-	Developments: Practical	
cies.		Guidance for the Estate	
Thomas C. Homburger an		Planning.	
Brian P. Gallagher	30:443	Diana S.C. Zeydel and	
T. ID. T. G. H.	CIII .	Norman J. Benford	34:207
Total Return Trusts—Can You	r Clients	117 T . I . OO .	C
Afford Anything Less?	22,121	Why Trustee Investors Often I	
Robert B. Wolf	33:131	Dividends to Capital Gai	
Toward a Practical Estate-Tax		Debt Investments to Equ Joel C. Dobris	32:255
Toward a Practical Estate-Tax		Joel C. Dobris	32:233

Exclusion for Family-Run Businesses: Analysis of

AUTHOR INDEX

Aalberts, Robert J.

Suits to Void Discriminatory Evictions of Disabled Tenants Under the Fair Housing Amendments Act: An Emerging Conflict?

33:649

Arnell, Nathan E., Jay A. Soled, and Dena Wolf

Funding Marital Trusts: Mistakes and Their

Consequences

31:89

Ascher, Mark L.,

Jonathan G. Blattmachr and Howard M. Zaritsky Tax Planning With Consensual Community Property: Alaska's

New Community Property Law

33:615

Benford, Norman J. and

Diana S.C. Zeydel

Valuation Principles and

Recent Developments:

Practical Guidance for

the Estate Planner. 34-207

Blattmachr, Jonathan G.

Howard M. Zaritsky and

Mark L. Ascher

Tax Planning With

Consensual Community

Property: Alaska's New

Community Property Law 33:615

Budin, Beverly R.

Holding S Corporation Stock

in Trusts-When, Why and 33:91

Campbell, John J. and Susan G. Haines Defects, Due Process, and Protec-

tive Proceedings: Are Our Probate Codes Unconstitutional?

33:215

Campisi, Dominic J.

Joint Tenancy Accounts

[An Un-Uniform Law] 30:399

Chason, Eric D. and

Robert T. Danforth

The Proper Role of the Estate

and Gift Taxation of Closely

Held Businesses 32:103

Toward a Practical Estate-Tax **Exclusion for Family-Run**

Businesses: Analysis of

Section 2033A and 32:571 Proposal for Reform

Chester, Ronald

Should American Children

Be Protected Against Disinheritance?

Chiplin, Alfred J., Jr.

A Practical Guide to Medicare

Hearings and Appeals 34:403

32:405

Chorney, Marc A.

Transfer Tax Issues Raised

33:755 by Crummey Powers

Collett, Teresa Stanton

Significant Probate and

Trust Legislation 30:143

Curtis, Jerome J., Jr.

The Transmogrification of

the American Trust 31:251

Danforth, Robert T. and

Eric D. Chason

The Proper Role of the Estate

and Gift Taxation of Closely

Held Businesses

Toward a Practical Estate-Tax **Exclusion for Family-Run**

Business: Analysis of

Section 2033A and Proposal for Reform

32:571

Dobris, Joel C.

New Forms of Private Trusts for the Twenty-First Century— Principal and Income 31:1

Why Trustee Investors Often
Prefer Dividends to Capital
Gain and Debt Investments to
Equity—A Daunting Principal
and Income Problem 32:255

Dukeminier, Jesse

The Uniform Statutory Rule Against Perpetuities and the GST Tax: New Perils for Practitioners and New Opportunities 30:185

Dunaway, Baxter

Effect of the Bankruptcy
Reform Act of 1994 on Real
Estate 30:601

Fisher, Morton P., Jr. and Richard H. Goldman The Ritual Dance Between Lessee and Lender—Subordination, Nondisturbance, and Attornment 30:355

Flynn, Stephanie G.
Duty to Mitigate Damages
Upon a Tenant's
Abandonment 34:721

Forté, Joseph Philip A Capital Markets Mortgage: A Ratable Model for Main Street and Wall Street 31:489

Gallagher, Brian P. and Thomas C. Homburger To Pay or Not to Pay: Claiming Damages for Recharacterization of Sale Leaseback Transactions Under
Owner's Title Insurance
Policies 30:443

Gallo, Jon J.

Estate Planning and the Generation-Skipping Tax 33:457

The Use of Life Insurance in
Estate Planning: A Guide to
Planning and Drafting 33:685

The Use of Life Insurance in
Estate Planning: A Guide to
Planning and Drafting—
Part II 34:55

Gary, Susan N.
Significant Probate and
Trust Literature 30:493

Gazur, Wayne M.

Muddling Along With the
Federal Wealth Transfer Tax:
A Survey of Practitioners and
Law School Professors 34:517

Geis, Norman
Escape From the 15th Century:
The Uniform Land Security
Interest Act 30:289

Gilliand, Denver S.
Fractional Interests Make a
Better QPRT 32:145

Goldman, Richard H. and
Morton P. Fisher, Jr.
The Ritual Dance Between
Lessee and Lender—
Subordination,
Nondisturbance, and
Attornment 30:355

Haines, Susan G. and John J. Campbell Defects, Due Process, and Protective Proceedings: Are Our Probate Codes

Unconstitutional? 33:215

Halper, Emanuel B.
Food Service Lease Use and
Exclusive Clauses 32:455

Hauser, Barbara R.

Death Duties and Immortality:
Why Civilization Needs
Inheritances 34:363

Homburger, Thomas C. and
Brian P. Gallagher
To Pay or Not to Pay:
Claiming Damages for
Recharacterization
of Sale Leaseback
Transactions Under Owner's
Title Insurance Policies 30:443

Horn, Jerold I.
Prudent Investor Rule, Modern
Portfolio Theory, and Private
Trusts: Drafting and
Administration Including
the "Give-Me-Five" Unitrust 33:1

Johnson, Janet M.
For Real Estate Lawyers: A
Practical Guide to Identifying
and Managing Potential Environmental Hazards and Conditions
Affecting Commercial Real
Estate 32:619

Kerekes, Robert J.

My Child ... But Not My Heir:
Technology, The Law, and PostMortem Conception 31:213

Kuether, John F.
Significant Probate and
Trust Decisions 30:645
31:129

Ledford, Nita
Note—Intentional Interference
with Inheritance 30:325

Five-Year Index: Volumes 30-34 791

Lefcoe, George
How Buyers and Sellers of
Development Land Deal with
Regulatory Risk 32:301

Litman, Donna
Apportionment of the Federal
Estate Tax—Effect of
Selective Federal
Apportionment and Need
for Reform
33:327

Lipscomb, James L. and
Alan J. Robin
Impact of Bankruptcy on
Workouts and New Investments 31:669

Llewellyn, Don W.

The Evolution of Sophisticated
Tax Planning for Lifetime Gifts—What Planning
Techniques Continue to Be
Effective? 30:213

McCoskey, Gregory M.
Death and Debtors: What
Every Probate Lawyer
Should Know About
Bankruptcy 34:669

McCrimmon, Les A.
Gametes, Embryos and the
Life in Being: The Impact
of Reproductive Technology
on the Rule Against
Perpetuities 34:697

McGowan, Chad A.

Special Delivery: Does the
Postman Have to Ring at All—
The Current State of the
Delivery Requirement for
Valid Gifts 31:357

Merk, Melinda S.

Joint Revocable Trusts for
Married Couples Domiciled

in Common-Law Property States 32:345

Mikeska, D'Ana H.,
Rust E. Reid, and
William R. Mureiko
Privilege and Confidentiality
Issues When an Attorney
Represents a Fiduciary 30:541

Miner, Martin P. and
Sidney G. Saltz
Subleases: A New Approach—
A Proposal 34:1

Mortland, Jean A.
Discrimination Actions
Against Landlords: Are
They Insurable? 31:55

Mureiko, William R.,
Rust E. Reid, and
D'Ana H. Mikeska
Privilege and Confidentiality
Issues When an Attorney
Represents a Fiduciary 30:541

Murray, John C.
Clogging Revisited 33:279

The Lender's Guide to Single Asset Real Estate Bankruptcies 31:393

Off-Balance-Sheet Financing: Synthetic Leases 32:193

O'Connor, Janet Bohon and
Dana T. Pickard
The Fiduciary's Standard of Care
in the Enforcement, Contest, or
Compromise of Claims in Favor of
or Against the Estate 30:1

Ordower, Henry M.
Trusting Our Partners: An
Essay on Resetting the Estate
Planning Defaults for an

Adult World 31:313

Orten, Jerry C.M. and John H. Zacharia Allocation of Damages for Tort Liability in Common Interest Communities 31:647

Palomar, Joyce Dickey
Limited Liability Companies,
Corporations, General
Partnerships, Limited
Partnerships, Joint Ventures,
Trusts—Who Does the Title
Insurance Cover? 31:605

Pickard, Dana T. and
Janet Bohon O'Connor
The Fiduciary's Standard of Care
in the Enforcement, Contest, or
Compromise of Claims in Favor of
or Against the Estate 30:1

Preble, Laurence G.
The Remedies Opinion Revisited:
A Primer for Real Estate
Lawyers 33:63

Radford, Mary F.

An Introduction to the Uses
of Mediation and Other
Forms of Dispute Resolution
in Probate, Trust, and
Guardianship Matters 34:601

Randolph, Patrick A., Jr.

A Mortgagee's Interest in
Casualty Loss Proceeds:
Evolving Rules and Risks 32:1

Reid, Rust E.,
William R. Mureiko, and
D'Ana H. Mikeska
Privilege and Confidentiality
Issues When an Attorney
Represents a Fiduciary 30:541

Reinecke, David W.

A Gift From Congress

Remedies a Statute's Limitations: New I.R.C. § 2001(f) 32:379

Roberts, Patricia G.

Adopted and Nonmarital
Children—Exploring the 1990
Uniform Probate Code's
Intestacy and Class Gift
Provisions 32:539

Robin, Alan J. and
James L. Lipscomb
Impact of Bankruptcy on
Workouts and New
Investments 31:669

Saltz, Sidney G. and
Martin P. Miner
Subleases: A New
Approach—A Proposal 34:1

Shurtz, Nancy E.
Significant Probate and
Trust Literature 30:79

Soled, Jay A., Dena L. Wolf, and Nathan E. Arnell Funding Marital Trusts: Mistakes and Their Consequences 31:89

Stein, Judith
A Practical Guide to
Medical Hearings and
Appeals 34:403

Thomas, David A.

Anglo-American Land Law:
Diverging Developments
from a Shared History—
Part I 34:143

Anglo-American Land Law:
Diverging Developments from
a Shared History—Part II:
How Anglo-American Land
Law Diverged After
American Colonization

Five-Year Index: Volumes 30-34 793

and Independence 34:295

Anglo-American Land Law:
Diverging Developments
From a Shared History—
Part III: British and
American Real Property
Law and Practice—A
Contemporary Comparison34:443

Whitman, Dale A.

Mortgage Drafting: Lessons From
the Restatement of Mortgages
33:415

Wolf, Dena L., Nathan E. Arnell, and Jay A. Soled Funding Marital Trusts: Mistakes and Their Consequences 31:89

Wolf, Robert B.

Defeating the Duty and
Disappoint Equally—
The Total Return Trust 32:45

Total Return Trusts—Can Your Clients Afford Anything Less? 33:131

Zacharia, John H. and
Jerry C.M. Orten
Allocation of Damages for Tort
Liability in Common Interest
Communities 31:647

Zaritsky, Howard M.,
Jonathan G. Blattmachr and
Mark L. Ascher
Tax Planning With
Consensual Community
Property: Alaska's New
Community Property Law 33:615

Zeydel, Diana S.C. and Norman J. Benford Valuation Principles and Recent Developments: Practical Guidance for

the Estate Planner

34:207

TOPIC INDEX

ACCORD		-20th Century American	
See LEGAL OPINION		Real Property Law	
ACCORD		Reform	34:443
		-Comparison of American	
ACCOUNTS		and British Real	
-Significant Decisions	31:190	Property Law	34:443
—Significant Legislation	30:144	-English Common Law	
Significant Degislation	30.144	in Colonial America	34:295
ADMINISTRATION AN	n	-English Land Law During	
PROBATE	D	Middle Ages	34:295
	34:669	-English Manorial System	34:143
—Bankruptcy—Claims Arising Out of	34:009	—Feudalism	34:143
Trust Administration	31:251	—Norman Landholding	
—Due Process	31:231	Practices	34:143
—Guardianship and		-Roman Property Law	
Conservatorship		Principles	34:143
Proceedings	33:215	-Statute of Uses	34:143
-Mediation	33.213		
—Advantages and		ANTI-LAPSE	
Disadvantages	34:601	See LAPSE	
—Uses	34:601		
-Notice, Generally	34.001	APPEALS AND TIME	
—Significant		LIMITATIONS	
Decisions	30:647	—Significant Decisions	31:142
-Significant Decisions	30:647	Significant Decisions	511112
—Significant Decisions	31:129	APPRAISAL	
-Significant Legislation	30:172	See VALUATION	
—Significant Literature	30:79	See VALUATION	
- Significant Enterature	30:493	ATTORNEY	
	30.473		
ALTERNATIVE DISPUT	FF	MALPRACTICE	
	LE	See also PROFESSIONAL	
RESOLUTION	24 (01	RESPONSIBILITY	
Mediation	34:601		
—Various Methods	34:601	BANK ACCOUNTS	
		See ACCOUNTS	
ANATOMICAL GIFTS			
—Significant Legislation	30:144	BANKRUPTCY	
		—Automatic Stay	
ANGLO-AMERICAN		Considerations	34:669
LAND LAW		—Basics	34:669
-20th Century British Real		—Estate Property	34:669
Property Law Reform	34-443	-Reform Act of 1994-	

CHARITABLE WILLS,

GIFTS, AND BEQUESTS

Five-Year Index: Volumes 30-34 795

Effect on Real Estate	30:601	-Significant	20.407
—Single Asset	21,202	Literature —Taxation	30:497
Bankruptcy	31:393 31:669	—Generally—Book Re	
	31:009	—Generally—Book Re	33:607
BENEFICIARIES,			33.007
DEVISEES, AND		CIVIL FORFEITURE	
HEIRS		See FORFEITURE	
See also SLAYER STATUT	EC		
AND BENEFICIARY	Lo	CLAIMS AGAINST	
WRONGDOING		ESTATES AND TRUST	
-Allocation of Federal Estat	te	—Claims Arising Out of	3
Taxes Among Benefici		Trust Administration	31:251
Taxes / thiong Denotion	33:327	—Duties of Fiduciary	30:1
-Allocation of Investment	33.327	—Settlement Agreements	2011
Return Among Trust		—Significant	
Beneficiaries	31:1	Decisions	31:140
Belleticiaries	32:45	-Significant Decisions	30:652
	33:131	0.8	31:133
—Children		-Significant Legislation	30:150
—Adopted and			
Nonmarital	32:539	CLOSELY HELD BUSI	NESSES
—Disinheritance	32:405	-Estate and Gift Taxation	32:103
-Posthumously		20000 0110 0111 1000101	32:571
Conceived	31:213		
-Interests and Rights		CLOSING OF	
—Significant		ADMINISTRATION	
Decisions	30:661	AND PROBATE	
	31:129		
-Status		See ADMINISTRATION AND PROBATE	
-Significant		AND PROBATE	
Decisions	30:716	COLLECES	
	31:176	COLLEGES	
		-Endowments-Spending Rules and	
BONDS		4.00.00	
-Significant Legislation	30:146	Investment Practices	32:45
		Practices	32:43
BURIAL		COMMON INTEREST	
-Significant Legislation	30:147	COMMON INTEREST	
		COMMUNITIES	
BUSINESS LAW OPINI	ION	See also COMMUNITY	
REPORT		ASSOCIATIONS	
See THIRD PARTY		-Allocation of Tort	21.647
LEGAL OPINION		Liability	31:647

COMMUNITY

ASSOCIATIONS

-Allocation of Tort

CONTRACTS
See Specific Index

Liability	31:647	Headings	
		—For Environmental	
COMPREHENSIVE		Consultants	32:619
ENVIRONMENTAL		—To Develop Land	
RESPONSE,		-Allocation of Regulate	ory
COMPENSATION, AND		Risk	32:301
LIABILITY ACT			
See CERCLA		CREDITORS	
See CERCLA		See also CLAIMS	
CONDOMINIUMS AND		AGAINST	
CONDOMINIUMS AND		ESTATES AND	
TIMESHARES		TRUSTS; LENDERS	
—Allocation of Tort		-Of Heirs and	
Liability	31:647	Beneficiaries	
		—Significant	
CONFIDENTIALITY		Decisions	30:661
—Confidential Relationships			31:129
Affecting Joint Tenancy			
Accounts	30:399	CRIMINAL FORFEITUI	RE
—Issues Arising When an		See FORFEITURE	
Attorney Represents a			
Fiduciary	30:541	DAMAGES	
		—In Housing Discrimination	
CONSERVATORSHIP		Actions	31:55
See GUARDIANSHIP		-Recharacterization of	
AND CONSERVATOR-		Sale Leaseback	
SHIP		Transactions under	
		Owner's Title	
CONSTITUTIONAL LAV	V	Insurance Policy	30:443
—Due Process		•	
Guardianship		DEVISEES	
and Conservatorship		See BENEFICIARIES.	
Proceedings	33:215	DEVISEES, AND	
		HEIRS	
CONSTRUCTION AND			
INTERPRETATION		DISABLED AND	
-Of Mortgage Terms Applying	σ	INCAPACITATED PERSONS	
Insurance Proceeds After	ь	—Evicting Disabled Tenants	33:649
Casualty Losses	32:1	—Fair Housing Amendments	
-Of Use and Exclusive Clause		of 1998	33:649
in Food Service Leases	32:455	-Family Allowance	30:154
-Of Wills and Estates	221100	—I amily Anowance	30.134
—Significant		DISCLAIMED AND	
Decisions	30:681	DISCLAIMER AND	
	31:158	RENUNCIATION	01.1/0
	21.100	-Significant Decisions	31:140
CONTRACTS		—Significant Legislation	30:151

WINTER 2000		Five-Year Index: Volumes 30	-34 797
DISTRIBUTION		ECOLOGY AND	
-Significant Legislation	30:151	ENVIRONMENTAL CONTROL	
DIVORCE		-Real Estate Transactions	32:619
See HUSBAND AND WIFE		ERISA	
DUE PROCESS		-Employee Benefit Plans	30:27
—Adult Guardianship and			
Conservatorship		ESTATE	
—Constitutional Analysis	33:215	ADMINISTRATION	
—Guardian ad litem	33:215	See ADMINISTRATION	
		AND PROBATE	
DURABLE POWERS			
OF ATTORNEY		ESTATE PLANNING	
See POWERS OF		-Adopted Children	32:539
ATTORNEY		-Closely Held Businesses	32:103
7111010101		*	32:571
ECOLOGY AND		-Crummey Powers	33:755
ENVIRONMENTAL		-Elder Law-Book Review	33:411
CONTROL		ERISA	30:27
—Environmental Site		-Generally-Book Review	33:607
Assessments	32:619	-Generation-Skipping Tax	33:457
Assessments	32.019	—Generation-Skipping	
ELDER LAW		Interest Trust	34:55
—Generally—Book Review	33:411	-Joint Revocable Trusts	32:345
—Significant Literature	30:82	-Life Insurance	33:685
-Significant Enterature	30:501		34:55
	50.501	—Qualified Personal Residence	
ELECTIVE SHARE		Trusts	32:145 30:89
See also HUSBAND		-Significant Literature	30:504
AND WIFE		-Tactics, Benefits, and	30.304
-Significant Decisions	31:167	Ethical Obligations	31:313
		Ethical Congations	31.313
EMPLOYEE		ETHICS	
RETIREMENT INCOMI	<u>C</u>	See PROFESSIONAL	
SECURITY ACT OF		RESPONSIBILITY	
1974			
See ERISA		EXECUTION	
344 2143.1		FORMALITIES	
ENDOWMENTS		—Significant Decisions	31:145
—Spending Rules and			
Investment		FAMILY LAW	
Practices	32:45	See ELDER LAW	
		AND MARKET MARKET TO	
ENVIRONMENTAL LA	W	FEDERAL FORFEITUR	E
See also CERCLA;		See FORFEITURE	

EIDICIADV		in Use of Mediation	34:601
FIDUCIARY		Proceedings for Adult Protect	
See also PERSONAL REPRESENTATIVE		—Due Process	33:215
		—Significant Decisions	31:197
-Appointment	31:179	Significant Legislation	30:155
—Significant Decisions—Compensation and Fees	31:1/9	—Use of Mediation	34:601
—Significant Decisions	31:130	—ose of Mediation	34.001
—Delegation of Trustee	31:130	HEALTH CARE	
Duties Duties	31:251		
—Significant Decisions	31:182	POWERS OF	
—Privilege and Confidentiality		ATTORNEY	
Issues	30:541	See POWERS OF	
-Significant Decisions	30:341	ATTORNEY	
—Significant Decisions	31:129		
-Standard of Care in	31.129	HEIRS	
Enforcement, Contest,		See BENEFICIARIES,	
		DEVISEES, AND HEIRS	S
or Compromise of Claims	30:1		
Claims	30.1	HOLOGRAPHIC WILLS	
FIDUCIADY		—Significant Decisions	30:679
FIDUCIARY			
ADMINISTRATION		HOMEOWNERS	
-Significant Literature	30:98	ASSOCIATIONS	
	30:512	-Allocation of Tort	
		Liability	31:647
FORECLOSURE		•	
-Effect on Mortgagee's		HOMESTEAD,	
Insurance Interest	32:1	ALLOWANCES, AND	
		EXEMPT PROPERTY	
FORFEITURE		—Significant Decisions	30:651
—Civil and Criminal		—Significant Decisions	31:153
			31.133
FOUNDATIONS		HOTELS	
-Endowments-Spending		—Treatment of	
Rules and Invest-		Revenues in	
ment Practices	32:45	Bankruptcy	30:601
		Bankrupicy	30.001
GIFTS		HIICDAND AND WIFE	
-Delivery Requirements	31:357	HUSBAND AND WIFE	
—Joint Tenancy Accounts	30:399	See also PROFESSIONAL RESPONSIBILITY	
—Significant Decisions	31:194	-Election	
—Taxation and Crummey			21.00
Powers	33:755	—Funding Marital Trusts —Joint Revocable Trusts	31:89 32:345
—Valuation Issues	32:379		
		—Joint Tenancy Accounts	30:399
GUARDIANSHIP AND		-Marital Property	
CONSERVATORSHIP		—Community Property Trusts	33:615
-Advantages and Disadvantage	es	—Oualified Personal Residence	
		—Quantieu reisonai Residence	

Trusts 32:145
—Significant Legislation 30:175

INCAPACITATED PERSONS

See DISABLED AND INCAPACITATED PERSONS

INHERITANCE

INSURANCE

Coverage of Discrimination
 Actions 31:55
 Coverage of Mortgagors and

Mortgagees After Casualty
Losses

--Definition of Insured Under
Title Insurance
Policies 31:605
--Significant Legislation 30:161

32:1

INTERNAL REVENUE SERVICE

See TAXATION

INTESTATE SUCCESSION

—Significant Decisions 30:670 31:129 —Significant Legislation 30:161 —Significant Literature 30:103 30:515

INVESTMENT

--Allocation of Return 31:1
--Decisionmaking Process 32:255
--Portfolio Theory 31:1
32:45

33:1 33:131

I.R.S.

See INTERNAL REVENUE

Five-Year Index: Volumes 30-34 799

SERVICE

JOINTLY-OWNED PROPERTY

See also HUSBAND AND WIFE

—Significant Decisions 30:742 31:204

JOINT TENANCY

-Accounts 30:399
-Significant Legislation 30:163

JURISDICTION AND VENUE

---Probate Proceedings
---Significant Decisions 31:129

LANDLORD AND TENANT

—Food Service Leases 32:455

Reasonable Accommodations for Disabled Tenants 33:649
 Subleases

—All Inclusive Approach
—Form Sublease 34:1

—Haphazard Approach—Lease/Sublease Form34:1

—Tenant Abandonment

—Avoidable Consequences

Rule 34:721

—Damages 34:721

--Damages 34:721 --Duty to Mitigate 34:721 --Non-Mitigation States 34:721

LAND USE PLANNING

See PLANNING, ZONING AND LAND USE

LEASES

See LANDLORD AND TENANT

LEGAL OPINION

See THIRD PARTY
LEGAL OPINION

LEGAL OPINION		—Coverage	34:403
ACCORD		—Generally	34:403
See also REAL ESTATE			
REPORT; THIRD		MODEL RULES OF	
PARTY LEGAL		PROFESSIONAL	
OPINION: THIRD		CONDUCT	
PARTY LEGAL		See also PROFESSIONAL	
OPINION REPORT		RESPONSIBILITY	
		—Representation of	
LENDERS		Fiduciaries	30:541
See also CREDITORS;			
MORTGAGES		MODEL CODE OF	
-Performance of Lessor's		PROFESSIONAL	
Obligations by Lender	30:355	RESPONSIBILITY	
-Restatement of Mortgages	33:415	See also PROFESSIONAL	
		RESPONSIBILITY	
LIFE INSURANCE		-Representation of	
—Charitable Giving of Life		Fiduciaries	30:541
Insurance	34:55	Fiduciaries	30.341
-Significant Decisions	31:200	MORTGAGES	
-Split Dollar Life			
Insurance	34:55	—Application of Casualty Loss Proceeds	32:1
			32:1
-Trusts Qualifying as Qualifi	ed	—Application of Clogging of	22,270
Subchapter S Trusts	33:91	the Equities Doctrine	33:279
-Used in Estate Planning	33:685	—Capital Markets	31:489
		Mortgage —Capital Markets Mortgage	31:469
LOST OR DESTROYED		Form	31:523
WILLS		Drafting	33:415
-Significant Decisions	30:679	-Loan Opinion Reports	33:551
organicant Decisions	31:155	—Remedy Opinions in Com-	33.331
	511155	mercial Mortgage Loan	
MALPRACTICE AND		Transaction	33:63
DISCIPLINE		—State Law	30:289
See ATTORNEY		-State Law	30.207
MALPRACTICE		NEGLIGENCE	
MALFRACTICE		See DAMAGES; TORTS	
MARITAL PROPERTY		See DAMAGES, TOKTS	
See HUSBAND AND		NONDISTURBANCE	
WIFE		See SUBORDINATION	
WIFE		See SUBURDINATION	
MEDICAID		OPINION	
—Significant Legislation	30:165	See THIRD PARTY	
—Significant Degistation	30:103	LEGAL OPINION	
		LEGAL OF INTON	
MEDICARE		PARENT-CHILD	
—Appeals	34:403	RELATIONSHIP	
appears	54.405	RELATIONSHIP	

Five-Year Index: Volumes 30-34 801

-Adopted and Nonmarital		PROFESSIONAL	
Children	32:539	RESPONSIBILITY	
-Disinheritance of Children	32:405	See also ATTORNEY	
-Joint Tenancy Accounts	30:399	MALPRACTICE;	
		MODEL CODE	
PERPETUITIES		OF PROFESSIONAL	
—Significant Decisions	30:697	RESPONSIBILITY;	
-Significant Legislation	30:170	MODEL RULES	
		OF PROFESSIONAL	
PERSONAL		CONDUCT	
REPRESENTATIVE		—Representation of	00 541
-Significant Legislation	30:170	Fiduciaries	30:541
PLANNING, ZONING,		PRUDENT INVESTOR	
AND LAND USE		RULE	
-Contractual Allocation of		—Generally	32:45
Regulatory Risk	32:301	•	33:1
PORTFOLIO THEORY		REAL ESTATE	
See also INVESTMENT		LENDERS	
—Generally	31:1	See LENDERS	
—Total Return Trusts	32:45	See EDINDERS	
Total Rotalii Trasis	33:1	REAL ESTATE	
	33:131	REPORT	
POWERS OF		See also LEGAL OPINION	
APPOINTMENT		ACCORD; THIRD	
-Significant Decisions	30:700	PARTY LEGAL	
organicant Decisions	30.700	OPINION; THIRD	
POWERS OF ATTORNE	.v	PARTY LEGAL	
—Durable		OPINION REPORT	
—Significant		-Mortgage Loan Opinion	
Legislation	30:151	Report	33:551
	30:153		
	30:159	REAL PROPERTY	
		See Specific Index	
PRINCIPAL AND		Headings	
INCOME			
-Allocation of Investment		RENT	
Return Among Trust		See also LANDLORD	
Beneficiaries	31:1	AND TENANT	
	32:45	—Eviction of Disabled Tenants	
-Preference for Income	32:255	for Late Rent	33:649
		-Restatement of Mortgages	33:415
PROBATE		—Treatment of Hotel	
See ADMINISTRATION		Revenues in	20,601
AND PROBATE		Bankruptcy	30:601

RENUNCIATION		SNDA	
See DISCLAIMER		See SUBORDINATION,	
AND RENUNCIATION		NONDISTURBANCE,	
		AND ATTORNMENT	
REPRODUCTIVE		AGREEMENT	
TECHNOLOGY			
-Frozen Gametes and		STOCK AND SHAREHOL	DERS
Embryos	34:697	—Holding S Corporation Stock	
-Effect on Rule Agains	t	in Trusts	33:91
Perpetuities	34:697		
-Life in Being	34:697	SUBORDINATION,	
-Posthumously Conceived		NONDISTURBANCE,	
Children	31:213	AND ATTORNMENT	
		AGREEMENT	
RESTAURANTS		—Generally	30:355
—Leases	32:455	—Drafting	33:415
244045	221100	—Draiting	33.413
REVOCATION AND		SUPERFUND	
REVIVAL		See CERCLA	
-Significant Decisions	30:704	See CERCLA	
—Significant Decisions	31:163	CANDIDATE I FACEC	
	31.103	SYNTHETIC LEASES	22 102
SALE LEASEBACK		—Analysis	32:193
		-Creation of Clogging of the	22.270
TRANSACTIONS		Equities Problems	33:279
-Claiming Damages for			
Recharacterization		TAXATION	
under Owner's Title	20.442	-Apportionment of	
Insurance Policies	30:443	Death Taxes	
—Clogging of the Equities	22.270	—Death Taxes—History	34:363
Issues	33:279 32:193	-Electing Small Business	
-Synthetic Lease Financing	32:193	Trusts	33:91
CHARRING CENTERS		-Estate and Gift Taxation	
SHOPPING CENTERS		-Apportionment Among	
—Food Service Leases	32:455	Beneficiaries	33:327
		—Closely Held	
SILVERADO ACCORD		Businesses	32:103
See LEGAL OPINION			32:571
ACCORD		-Economic Justification	32:103
		-Estate Planning and the	
SIMULTANEOUS DEAT	H	Generation-Skipping	22.457
—Significant Legislation	30:174	Tax	33:457
		—Exercising Crummey	22.755
SLAYER STATUTES AN	ID	Powers	33:755
BENEFICIARY		—Generally	32:103
WRONGDOING		Book Review	33:607
—Significant Decisions	30:711	—Gift Tax Statute of	22.270
	31:174	Limitations	32:379

***************************************		Tive Tear Trace. Forumes 30-	34 003
-Joint Revocable Trusts	32:345	Definition of Insured	31:605
-Justifications	34:363	-Claiming Damages for	
-Federal Wealth Transfer		Recharacterization	
Tax		of Sale Leaseback	
-Estate Planning Fees	34:517	Transactions	30:443
—Impact on Family		—Related Issues of Clogging	30.113
Business	34:517	of the Equities	33:279
Proposals for Change	34:517	—Synthetic Lease Transactions	
—Life Insurance Trusts	33:685	Synthetic Lease Transactions	32.173
-Marital Trusts	31:89	TORTS AND NUISANCE	c
Walital Hasis	33:615	See DAMAGES:	3
—Qualified Subchapter S	33.013	NEGLIGENCE	
Trusts	33:91	NEOLIGENCE	
—Significant Decisions	30:729	TRUCTO AND TRUCTOR	0
—Significant Decisions	31:129	TRUSTS AND TRUSTEE	5
-Significant Legislation	30:213	See also FIDUCIARY	
		—Allocation of Investment	
—Significant Literature	30:107 30:519	Return	31:1
—Total Return Trusts			32:45
— I otal Return Trusts	32:45	—Apportionment of Federal	
37-1	33:131	Estate Taxes	33:327
—Valuation	34:207	—Community Property Trusts	33:615
		—Delegation of Trustee	
THIRD PARTY LEGAL		Duties	31:251
OPINION		—Electing Small Business	
See also LEGAL OPINION		Trust	33:91
ACCORD; REAL		—Generation-Skipping Tax	33:457
ESTATE REPORT;		—Income Allocation	32:45
THIRD PARTY LEGAL			32:255
OPINION REPORT		-Joint Revocable Trusts	32:345
-Remedies Opinion in		-Life Insurance Trusts	33:685
Commercial Loan		-Marital Trusts	31:89
Transactions	33:63	-Mediation	
		-Advantages and	
THIRD PARTY LEGAL		Disadvantages	34:601
OPINION REPORT		—Uses	34:601
See also LEGAL OPINION		-Private Unitrusts	33:1
ACCORD; REAL		-Qualified Personal Residence	
ESTATE REPORT:		Trusts	32:145
THIRD PARTY		-Qualified Subchapter S	
LEGAL OPINION		Trusts	33:91
-Mortgage Loan Opinion		-Risks to Third Parties Who	
	33:551	Fail to Inquire Into	
Report	33:331	Powers and Conduct of	
TIME CHAREC		Trustees	31:251
TIME-SHARES		—Significant Legislation	30:176
See CONDOMINIUMS AND		-Significant Literature	30:128
TIMESHARES		S. S	30:531
		—Taxation	
TITLE INSURANCE			

		.,	
-Generally-Book		-Consultant Engagement	
Review	33:607	Letter	34:207
—Total Return Trusts	32:45	-Marital Trust Property	31:89
	33:131	-Rules and Principles	34:207
		—Taxable Gifts	32:379
UNDUE INFLUENCE		—Undivided Fractional	
-Significant Decisions	31:148	Interest Discounts	32:145
UNIFORM LAND S	ECURITY	VENDOR AND	
INTEREST ACT		PURCHASER	
—General	30:290	-Allocation of Regulatory	
		Risk	32:301
UNIFORM MANAGE	-		
MENT OF INSTITU-		WILL AND TRUST	
TIONAL FUNDS ACT	•	CONTESTS	
-Income Allocation	32:45	-Fiduciary's Standard	
	,	of Care	30:1
UNIFORM PROBATE	CODE		
-Adopted and Nonmarital		WILLS	
Children	32:539	See Specific Index Headings	

30:399

UNIFORM STATUTORY **RULE AGAINST** PERPETUITIES (USRAP)

-Joint Tenancy Accounts

-Generally 30:185

USRAP

See UNIFORM STATUTORY **RULE AGAINST PERPETUITIES**

VALUATION

Adjustments	34:207
Case Discussions	34:207
—Closely Held Businesses	32:103
	34:207

ZONING See PLANNING, ZONING, AND LAND USE

